IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 10741 of 2005

Between:

Palla Bala Venkata Subba Reddy, S/o. Chinna Nagireddy,
R/o. Doddampalli post, Giddaluru Mandal,
Prakasam District.

..... PETITIONER

AND

1 The Joint Collector, Ongole, Prkasam District.
2 The Revenue Divisional Officer, Markapur, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more in the nature of Writ of Mandamus declaring the action of the respondent No.1 in not passing any orders on the stay petition filed along with the appeal as illegal, arbitrary unjust and consequently set aside the proceedings of the 2nd respondent bearing Rc.H/1880/04 dt.20-09-2004 and grant such other relief or reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: Smt. K.ARUNA

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

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ORAL ORDER:

Heard both sides.

The grievance of the petitioner is that aggrieved by the order passed by the second respondent vide proceedings Rc.H./1880/04 dated 20.9.22004, he filed an appeal on 11.10.2004 along with stay application before the first respondent and the same is still pending.

As the petitioner filed an appeal on 11.10.2004 before the first respondent, without going into the merits of the case, I deem it appropriate to direct the first respondent to dispose of the appeal on merits in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

With the above observation, the Writ Petition is disposed of. No order as to costs.

ELIPE DHARMA RAO,J

DATED: 29.04.2005

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To

1 The Joint Collector, Ongole, Prkasam District.
2 The Revenue Divisional Officer, Markapur, Prakasam District.

3. Two CCs to G.P. for Civil Supplies, High Court of A.P., Hyderabad (OUT)

4. Two CD copies.